THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No. 19187 of 2006

Date 20-09-2006

Between:

Sri Koteswari Lace Industries.

..... PETITIONER

AND

The State Bank of India, Narsapur Branch, Steemer Road, Narsapur, rep. by its Chief Manager.

.....RESPONDENT

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION No.19187 of 2006

O R D E R :

This writ petition is filed aggrieved by the notice dated 04-09-2006 issued by the respondent-bank calling upon the petitioner to sign the revival letters and come forward with a specific proposal for concession within a period of seven days, failing which, further action would be taken under the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the Act') to recover the dues.

The petitioner submits that towards the loan account, he has already deposited a sum of Rs.23,00,000/-, which includes a sum of Rs.10,00,000/- as ordered by this Court in W.P.No.7228 of 2005. Hence, according to the petitioner, steps now sought to be initiated by the respondent-bank under the impugned notice are unwarranted.

The learned standing counsel appearing for respondent-bank disputes the said version and states that the deposit of Rs.23,00,000/- said to have been made by the petitioner was not in compliance with the orders of this Court in W.P.No.7228 of 2005.

Having regard to the fact that under the impugned notice, the petitioner was only called upon to come forward with a proposal for concession towards the loan account and nothing has been placed before this Court to show that any coercive steps are taken against the petitioner as on today, the writ petition is

disposed of granting liberty to the petitioner to submit his explanation furnishing all the necessary details with regard to the amounts said to have been deposited by him within a period of one week from today. If any such representation is made within the time granted above, the respondent shall consider the same and pass appropriate orders in accordance with law as to the liability of the petitioner. Till such time, no coercive steps shall be taken against the petitioner. No order as to costs.

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20-09-2006

Note:CC today
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